

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT T. BROCKMAN,

Defendant.

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§ **Cr. No. 4:21cr 009 GCH**

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ORDER RE JOINT MOTION TO MODIFY PROTECTIVE ORDER

The United States and Defendant Robert T. Brockman have jointly moved to modify the Protective Order. That Motion is GRANTED.

Page 3, line 16-19 of the Protective Order currently states:

The materials provided pursuant to this protective order may only be used for the specific purpose of preparing or presenting a defense in this matter, unless specifically authorized by the Court.

That excerpt is now AMENDED as follows:

The materials provided pursuant to this protective order may only be used for the specific purpose of preparing or presenting a defense in this matter, and in civil proceedings involving the defendant under U.S.C. Title 26 and/or Title 31 to the extent permitted by the Federal Rules of Civil Procedure, Tax Court Rules, Title 26 U.S.C. 6103(h)(4)(A)-(C), and other applicable statutes and regulations, unless specifically authorized by the Court. If the defendant seeks to use any of the materials provided pursuant to this protective order as part of any submission to a court or as evidence in a civil proceeding involving the defendant, copies of such

material shall first be provided to counsel for the government in the civil proceeding in which the material is proposed to be used to allow counsel for the government to make a timely objection to the use of any such materials before the court in that civil proceeding.

Page 4, line 19-22 of the Protective Order currently states:

IT IS FURTHER ORDERED that defense counsel shall return materials subject to this protective order (including any copies) to the United States within 28 ~~14~~ days after whichever event occurs last in time: dismissal of all charges against defendant; defendant's acquittal; defendant's sentencing; or the conclusion of any direct appeal." (emphasis and strikethroughs in original).

That excerpt is hereby AMENDED as follows:

IT IS FURTHER ORDERED that defense counsel shall return materials subject to this protective order (including any copies) to the United States within 28 days after whichever event occurs last in time: dismissal of all charges against the defendant; defendant's acquittal; defendant's sentencing; the conclusion of any direct appeal in this criminal proceeding; dismissal of all civil proceedings under U.S.C. Title 26 and/or Title 31 regarding the defendant's tax liabilities; final judgment in such civil proceedings; or the conclusion of any direct appeal of a final judgment in such civil proceedings.

IT IS FURTHER ORDERED that the Defendant's Opposed Motion to Modify Protective Order, Dkt. 245, is DENIED as moot.

Dated:

GEORGE C. HANKS
United States District Judge